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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,099	08/21/2003	Jeff Scott Eder	VM-55	7276

53787 7590 11/24/2010  
ASSET TRUST, INC.  
2020 MALTBY ROAD  
SUITE 7362  
BOTHELL, WA 98021

EXAMINER
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MEINECKE DIAZ, SUSANNA M

ART UNIT	PAPER NUMBER
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3684

MAIL DATE	DELIVERY MODE
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11/24/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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ASSET TRUST, INC.  
2020 MALTBY ROAD  
SUITE 7362  
BOTHELL WA 98021

In re application of: Jeff Scott Eder : **DECISION ON PETITION**  
Application No. 10/645,099 : **TO SUSPEND PROSECUTION**  
Filed: August 21, 2003 : **FOR CAUSE**  
For: **AUTOMATED METHOD OF AND SYSTEM FOR IDENTIFYING, MEASURING**  
**AND ENHANCING CATEGORIES OF VALUE FOR A VALUE CHAIN**  
: **UNDER 37 C.F.R. 1.103 (a)**

This is a decision on the petition filed on June 30, 2010 for suspension of action in this application under 37 CFR 1.103(a).

Applicant's petition states that the applicant requests a suspension of action in the above referenced application because the Office has failed to provide an Examiner with the level of skill in the relevant arts and training required to examine the instant application and the suspension will give the applicant time to prepare a petition to the Commissioner.

37 CFR 1.103 sets forth the following:

Suspension of action by the Office

(a) Suspension for cause. On request of the applicant, the Office may grant a suspension of action by the Office under this paragraph for good and sufficient cause. The Office will not suspend action if a reply by applicant to an Office action is outstanding. Any petition for suspension of action under this paragraph must specify a period of suspension not exceeding six months. Any petition for suspension of action under this paragraph must also include:

- (1) A showing of good and sufficient cause for suspension of action; and
- (2) The fee set forth in § 1.17(g), unless such cause is the fault of the Office.

The petition for suspension of action under 37 CFR 1.103(a) is **DENIED** because the applicant has not requested a specific and reasonable period of suspension not exceeding six months nor has applicant provided a showing of good and sufficient cause as required by 37 CFR 1.103. Applicant is reminded that, in general and when timely filed, he has various options at his disposal for seeking resolution regarding his concerns. With respect to the concerns regarding the prosecution, any disagreement with the merits of the rejection can be handled in an appeal, if timely filed. Any disagreement with the procedures used during prosecution can be addressed with a petition for Director review under 37 CFR 1.181. Also, it should be noted that, since patents are presumed to be valid (35 U.S.C. § 282), the examiner will not comment on their merits. Applicant should also be aware that he may file a request for reexamination on any or all of the patents that he has identified (e.g., see Applicant's Attachment A).

As to the level of skill in the art, even though it is well settled that the examiner must ascertain the level of skill in the art (e.g., see MPEP 2141.03, section III), there's no requirement that the examiner him/herself be the person of ordinary skill.

## DECISION

For the above-stated reasons, the petition is **DENIED**. The application will therefore be taken up by the examiner for action in its regular turn.

Any inquiry regarding this decision should be directed to Kambiz Abdi, Supervisory Patent Examiner for Art Unit 3684 at (571) 272-6702 or to Primary Examiner Susanna Diaz at (571) 272-6733.

/Kambiz Abdi/

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Kambiz Abdi  
Supervisory Patent Examiner  
Art Unit 3684  
571-272-6702

/Susanna M. Diaz/  
Primary Examiner, Art Unit 3684